AO 441 (Rev. 9/00) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

PLAINTIFF
ALLIANZ GLOBAL RISKS U.S. INSURANCE COMPANY, as subrogee of Buffets Höldings, Inc.

THIRD PARTY SUMMONS IN A CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF

NOVAK CONSTRUCTION COMPANY, an Illinois corporation,

CASE NUMBER: 07 C 7149

ASSIGNED JUDGE: Samuel Der-Yeghiayan

V. THIRD PARTY DEFENDANT

RESTAURANT SPECIALTIES, INC., KIEFFER & CO., INC. and AERO ELECTRIC & COMMUNICATIONS,

DESIGNATED MAGISTRATE JUDGE:

TO: Name and address of Third Party Defendant

Restaurant Specialties, Inc.
999 Polaris Parkway, Suite 111
Columbus, OH 43240
Registered Agent: Paul Tanzillo

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)
Matthew S. Ponzi/Megan E. Ritenour
Foran Glennon Palandech & Ponzi, PC
150 S. Wacker Drive-#100
Chicago, IL 60606

Christina L. Pawlowski
Denenberg Tuffley, PLLC
21 East Long Lake Road - Suite 200
Bloomfield HIlls, MI 48304

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY (name and address)

Timothy R. Couture
Johnson & Bell, Ltd.
33 West Monroe Street - #2700
Chicago, IL 60603

an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

MICHAEL W. DOBBINS, CLERK

NADINE FINLEY
(By) DEPUTY CLERK

APR 25 2008
DATE

CERTIFICATE OF SERVICE

The undersigned, Timothy R. Couture, hereby certifies that he caused the Affidavit of Special Process Server to Restaurant Specialties, Inc. to be electronically filed with the CMT System for the United States District Court for the Northern District of Illinois and service was accomplished pursuant to the ECF for Filing Users on this 2nd day of June, 2008.

___/s/Timothy R. Couture________________

Timothy R. Coulee
Restaurant Specialties, Inc
07 C 7149

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RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE 5-9-2008
NAME OF SERVER *(PRINT)* Antonio M. Green	TITLE Legal Process Server

Check one box below to indicate appropriate method of service

G Served personally upon the third-party defendant. Place where 999 Poiaris Parkway Columbus, Ohio 43240

G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: Debra Sheldon - Debra Sheldon
Office Manager

G Returned unexecuted: __________

G Other (specify): __________

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

Executed on 5-11-2008
Date

[signature]
Signature of Server

8547 White Cedar Drive #318
Miamisburg, Ohio 45342
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.